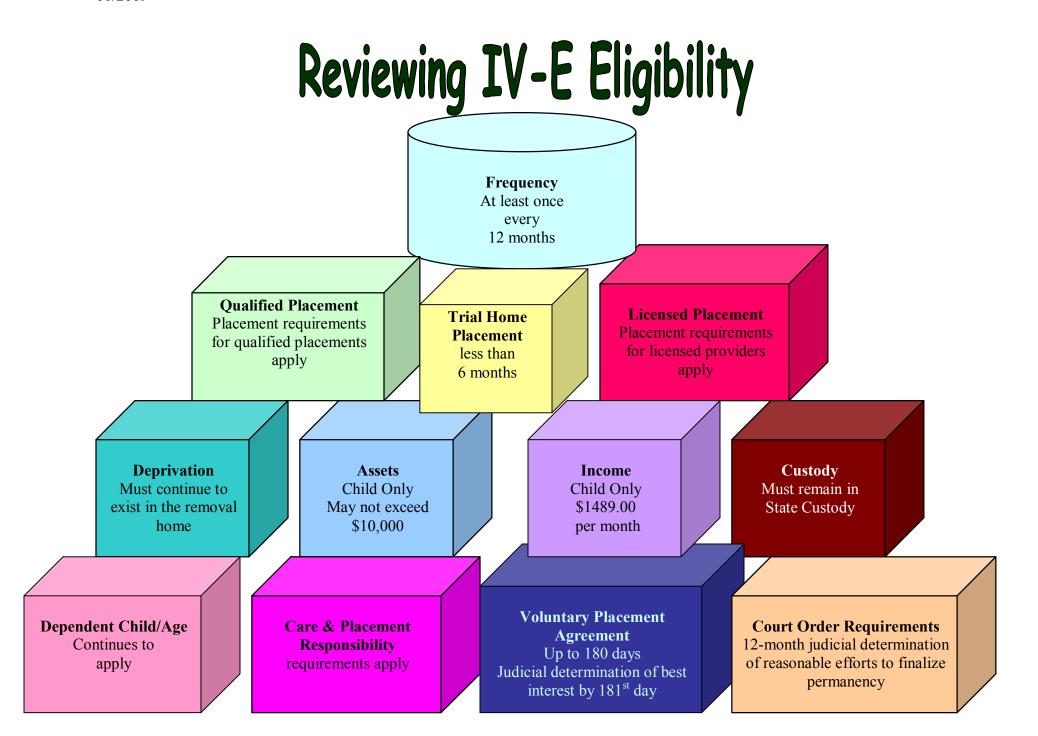


TABLE OF CONTENTS

Reviewing IV-E Eligibility	3
Reviewing IV-E Reimbursability	4
Reviewing Medicaid Eligibility	5
Eligibility Review Form.	6
Lump Sums for Ongoing Title IV-E Eligibility.	22
Reasonable Efforts to Finalize Permanency	23
Foster Children Served by the DSPD Waiver	26
IV-E Foster Children Placed Out of State	27
State Hospital Placements.	28



Frequency At least once every 12 months.

Supplemental Security Income (SSI)

The criteria for initial IV-E reimbursability continues to apply for ongoing reimbursability.

Foster and Kin Home Placement without Full Licensure

The criteria for initial IV-E reimbursability continues to apply for ongoing reimbursability.

Runaway

The criteria for initial reimbursability that pertains to a child who runs away while in foster care continues to apply for ongoing reimbursability.

Reviewing Medicaid Eligibility

Foster Care Medicaid Eligibility must be reviewed at least once every 12 months

Continued State Custody

Child's Income
Refer to Table VII
Income Table For Medical Assistance
for Medicaid Program limits

Placement

Must be receiving a Foster Care

maintenance payment

Child's Assets

Children's Programs (except NB)

HH 1 = \$2,000

HH 2 = \$3,000

<u>IV-E</u>

\$10,000

Newborn Program for children under 6

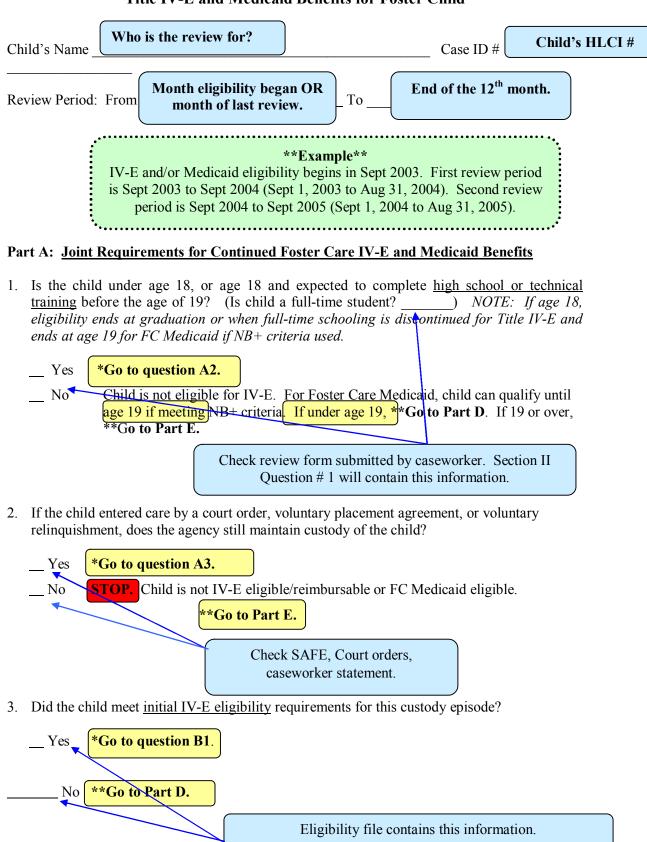
No asset limit

TPL Information

Changes to TPL information must be reviewed and new information entered in ORSIS

ELIGIBILITY REVIEW

Title IV-E and Medicaid Benefits for Foster Child



Part B: Requirements for IV-E Foster Care Eligibility

1. If the child entered care through a Voluntary Placement Agreement, was there a court order within 180 days of the agreement giving the agency custody and including the required contrary to welfare/best interest language? Did the child enter custody through a Voluntary Placement Agreement, SAFE form DCFS01, signed by an agency representative and the parent or guardian of the child? This information will be in the Court Section of the eligibility file. Yes Court Order Date: **Go to question B3. This should be the first court order that orders custody of the child to the agency and it must contain the Best Interest language. **STOP.** Child can only be IV-E eligible/reimbursable for the first 180 days of the signed agreement, if all other criteria are met. IV-E eligibility is permanently lost for this custody episode. Child can be considered for Foster Care Medicaid eligibility if the court ordered custody at any time after agreement ended. **Go to Part D. __ NA Child did not enter care through Voluntary Placement Agreement. **Go to question B2. 2. If the child entered care as a result of an up-front voluntary relinquishment, was there a court order within six months of entry into care with the required contrary to welfare/best interest language (not merely sanctioning the relinquishment)? Information will be in the **Court Section** of the eligibility file. **Go to question B3. Child cannot be IV-E eligible unless a court order with the required legal language was obtained within six months of the removal date. IV-E eligibility is permanently lost for this custody episode. **Go to Part D. _ NA Child did not enter care as a result of an up-front voluntary relinquishment. **Go to question B3.

3. Did deprivation continue to exist in the removal home during the review period or have parental rights been terminated?

Removal from Caretaker Relative other than the parent

Deprivation will always exist for reason of both parents absent from the removal home.

Removal from Parent

Deprivation reason can change. Only one form of deprivation needs to be present.

Deprivation reasons include:

Continued Absence of a parent

Incapacitation

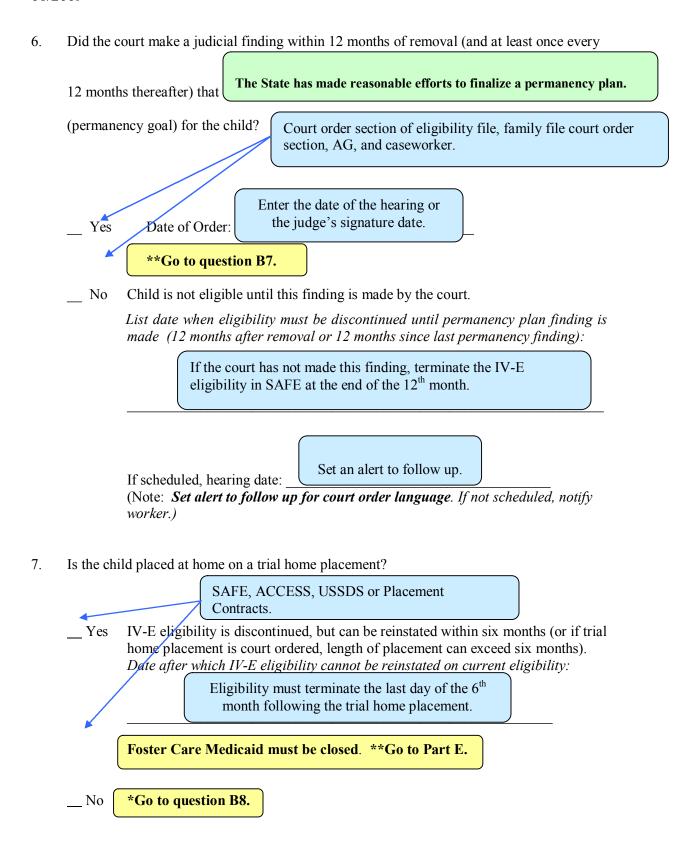
Unemployment of the principal wage earner Underemployment of the principal wage earner

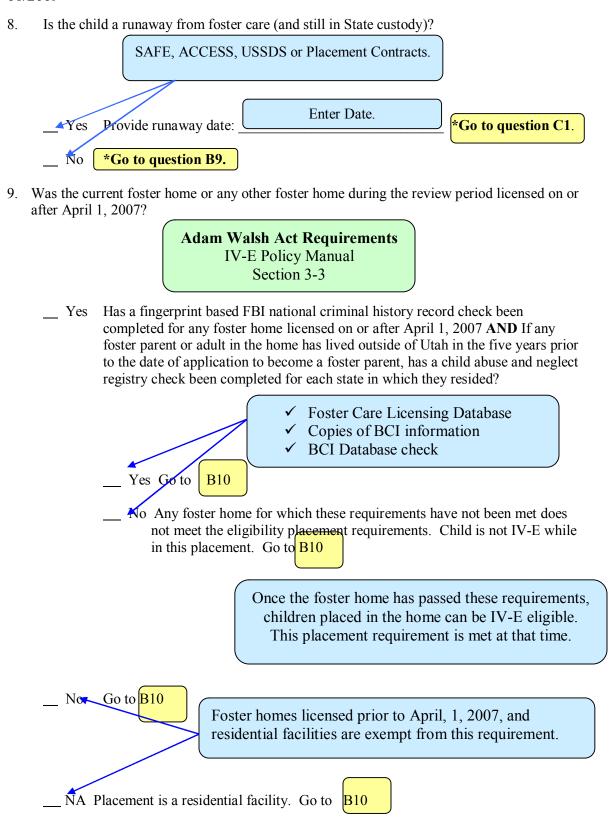
Caseworker Statement of continued deprivation is **in Section II Question 2** on the review form. Check SAFE, PACMIS, E-find to verify that deprivation has continued to exist.

If parental rights have been terminated, deprivation always exists.

		a	IW
Yes	Describe deprivation:	TPR Date:	
	_ Deprivation was met all months of review period. **Go to que	estion B4.	
_	Deprivation was met for one or more months during the review <i>List any months in which deprivation was not met:</i>	period.	
	List months when there was no deprivation.		
	**Go to question B4.		
No	STOP. Child is not IV-E eligible during the months deprivation	n no longer exists.	
	Explain why deprivation did not exist:	needed.	_
	**Go to Part D.		

4.	Were child's countable assets under \$10,000 during the review period?						
	Caseworker statement on review form, Sections 3, 4 & 5; Representative Payee account reports.						
	Yes Child is IV-E eligible for any months in which asset limit is met.						
	Asset limit was met all months of review period. **Go to question B5.						
	Asset limit was met for one or more months during the review period. List any months in which asset limit was exceeded:						
	List any months that the foster child's assets exceeded \$10,000.						
	*Go to question B5.						
	No Child is not IV-E eligible during months child's monthly assets exceed \$10,000.						
	**Go to Part D. \$1489.00 per month						
5.	Was child's countable monthly income less than 185% of the Foster Care Need Standard.						
	Caseworker statement on review form, Section 6 & 7; PACMIS and/or E-find for SSA or SSI benefits; earned income of a full-time student is not countable.						
	during the review period? Child's income and source:						
	Yes Child is IV-E eligible for any months in which income limit is met.						
	Income limit was met all months of review period. **Go to question B6.						
	Income limit was met for one or more months during the review period. List any months in which income limit was exceeded:						
	List any months that the income of the foster child exceeded \$1489.00.						
	**Go to question B6.						
	No Child is not IV-E eligible in months child's monthly income exceeds 185% of FC Need Standard.						
	**Go to Part D.						





10. Is the child's current placement or any other placement since entering agency care a non-kin foster home, group home or residential placement, including a public facility with 25 beds or less?

SAFE, ACCESS, USSDS or Placement Contracts Licensing documentation must be in the eligibility case file.

- ✓ Foster Care Licensing Data Base Printout
- ✓ Proctor and Christmas Box Homes Licensing Certificate and BCI Information
- ✓ Residential Placement Licensure may be verified through the Licensing Website
- Yes Provide date(s) chald placed in a foster home, group home or residential facility:

 Placement printout and licensing information. Section II, Question 8 on Caseworker Review form.

Is the foster/home, group home or residential facility fully licensed?

The Office of licensing does licensing for group homes and residential facilities. Licensing website will provide license information.

Child's IV-E eligibility cannot continue until child is placed in a licensed, qualified placement. **Go to Part D.

1. Is the child's current placement or any other placements since entering agency care a kin home?

Yes Provide date(s) child placed in kin home:

Placement printout and licensing information. Section II, Question 8 on Caseworker Review form.

**Go to question B11.

__ No Child's IV-E eligibility cannot continue until child is placed in a qualified placement.

**Go to Part D.

12. If the child entered care by a court order, was the child ordered into a specific foster placement?					
Review Court Orders.					
Yes Child is not IV-E eligible until judge gives authority to the Division to determine					
placement of the child. **Go to Part D.					
No					
Part C: Requirements For IV-E Foster Care Reimbursability					
1. Is the child a runaway from foster care (and still in State custody)?					
Check Placement History.					
Yes Child is not IV-E reimbursable for runaway period. IV-E eligibility continues as					
long as State custody is not terminated and other eligibility criteria are met. **Go to Part D.					
No *Go to question C2.					
2. Is the child receiving SSI while in custody? PACMIS or E-find Interface Screens					
Caseworker Review form, Section II, Question 6.					
Yes Child will generally not be made IV-E reimbursable, although it is allowable, because SSI will be reduced by amount of the IV-E payment. <u>Cases must be</u>					
reviewed carefully (based on child's best interest/placement costs) before making the child IV-E reimbursable.					
**Go to Part D.					
Go to Tart D.					
No **Go to question C3.					
3. Is the child's current kin placement or any other kin home placements since entering agency					
care fully licensed (not probationary)? • Foster Care Licensing Data Base					
Office of Licensing Website					
Yes Child is reimbursable. **Go to Part D. Hard copies of licenses for proctor home and Christmas Box					
Homes					
No Child is not IV-E reimbursable for period while kin home is becoming fully licensed. IV-E eligibility continues					
**Go to Part D.					

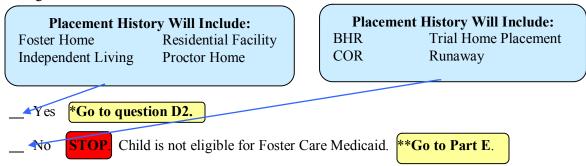
- Foster Care Licensing Data Base
- Office of Licensing Website
- Hard copies of licenses for proctor home and Christmas Box Homes

__ NA Child's placement is foster home, group home or residential facility and all other criteria have been met. Child is reimbursable.

**Go to Part D.

Part D: Requirements for Foster Care Medicaid

1. Is the child in a placement in which a foster care or independent living maintenance payment is being made for the child?



2. What are the child's countable income and assets? Income and source: \$

Foster Child's Countable Income ONLY

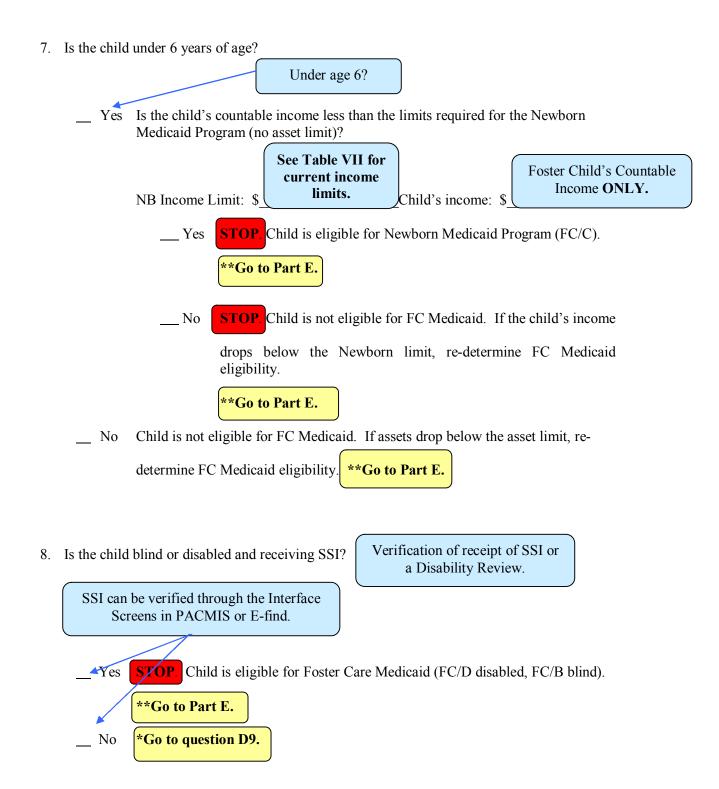
- The **earned** income of a full-time student is not countable.
- SSI Benefits are not countable income.
- SSA Benefits are countable income.
- Independent Living Stipends paid to the youth are countable income.
- Child Support is countable income.

Foster Child's Countable Assets ONLY

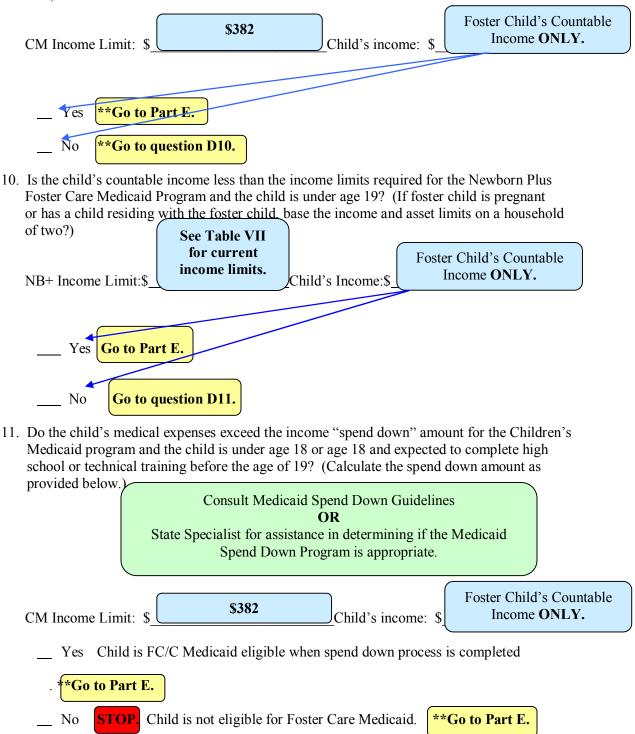
- Representative Payee Accounts.
- Cars (Up to \$1500 deduction for one vehicle).
- Savings or Checking Accounts.

Assets and source: \$_______**Go to question D3.

3.	Was the child previously eligible for Foster Care Medicaid?
	Yes Program Type: F, C, D, B, NB, NB+ or PN
	**Go to question D4.
	No **Go to question D4.
4.	A Foster Child must meet all the requirements for IV-E eligibility and IV-E reimbursability to be eligible for FC/F.
	Yes STOP: Child is categorically eligible for Medicaid, FC/F. **Go to Part E.
	No **Go to question D5.
5.	If the child is a qualified alien, has the child been living in the United States for five years or longer, did the child enter the United States prior to August 22, 1996, or is the child in a protected alien classification?
	Citizenship and Qualified Alien Status information is located in the Verification Section of the Eligibility File.
	Information will be on the Alien Registration Card (green card) or in the INS documentation.
	Yes Date/of entry in U.S.:or protected classification:
	No STOP. Child is not eligible for Foster Care Medicaid until in the United States
	for five years. Date five year waiting period ends: **Go to Part E.
	NA Child is a U.S. Citizen. **Go to question D6.
6.	Are <u>the child's</u> countable assets <u>greater than \$2000</u> as provided on the income and asset worksheet?
	Does the Foster Child have more than \$2,000 in countable assets?
	Yes *Go to question D7.
	No *Go to question D8.



9. Is the child's countable income less than the income limits required for the Newborn Plus Foster Care Medicaid Program and the child is under age 19? (If foster child is pregnant or has a child residing with the foster child, base the income and asset limits on a household of two.)



Ongoing Eligibility Determination 01/2009
The Spend Down Program does not apply to NB or NB+ Medicaid Programs. The Spend down must be made to the Children's Medicaid Program. Income Limit HH 1 = \$382 HH 2 = \$468 Foster Child's Income Minus BMS (\$382). Income Limit = Spend Down amount.
Spend Down Calculation ///
Child Countable Income \$
(fill out spend down form & send to L O'Brien with check of needed amount from Rep Payee Account) Part F: Payiow Findings For Title IV F And Medicaid Panefits For Foster Child
Part E: Review Findings For Title IV-E And Medicaid Benefits For Foster Child
Same months as indicated on Page 1.
Review Period: FromTo
1. Review of Title IV-E Eligibility
÷ • • • • • • • • • • • • • • • • • • •
Did the Foster Child meet the Initial IV-E Eligibility Requirements for this custody episode?
Requirements for this custody episode? NA Child did not meet INITIAL Title IV-E eligibility requirements and is not eligible
NA Child did not meet INITIAL Title IV-E eligibility requirements and is not eligible for
NA Child did not meet INITIAL Title IV-E eligibility requirements and is not eligible for custody episode. Provide reason: Why Not? **Go to question E3. Did the Foster Child meet the Initial IV-E Eligibility Requirements for this custody episode and during this review

Complete if IV-E Eligibility terminated for one month or more during the review period.

If not IV-E eligible all months, list dates for review period. Check IV-E eligible months.

<i>j</i>	ung.		, , , , ,	 v_{ij}	0,10,	P C. TOU	 	011310	
Month/Year	10/05	1							
Check elig months	X								

List months of review period. Check box beneath the months when the child was IV-E Eligible.

(Note DCFS: Make sure that SAFE showed open IV-E eligibility for all appropriate months.)

Make sure the SAFE and CARE Eligibility History match the review findings.

Foster Child met the Initial IV-E Eligibility requirements, but has not been IV-E eligible during this review period.

_ No Child is not Title IV-E eligible	e. Provide reason:	Why not?

- ___ Child can regain eligibility in the future when all requirements are met.
- ___ Child has permanently lost IV-E eligibility.

Trial Home Placement more than 6 months and not court ordered.

2. Review of Title IV-E Reimbursability

Did the Foster Child meet the requirements for IV-E Reimbursability during this review period?

- Yes Child is Title IV-E reimbursable.
 - ____Child met reimbursability requirements for all months of review period.
 - ____ Child met reimbursability requirements for one or more months during the review period.

Complete if IV-E Reimbursability terminated for one month or more during this review period.

If not IV-E reimbursable all months, list dates for review period. Check reimbursable months.

Month/Year	10/05	×				
Check reimb months	X					

List months of review period.

Check box beneath the months when the child was IV-E Reimbursable.

(Note DCFS: months.)		owed open IV-E reimbursabi	ligibility History
	Foster Child me	t the Initial IV-E Eligibility is not IV-E Reimbursable.	requirements, but
No	Child not Title IV-E rei	mbursable. Provide reason:	SSI or Provisionally Licensed Placement.
	Foster Child is not IV-E	Eligible for this custody epis	ode.
NA 3. Review of	Child is not Title IV-E		
	After comp	pleting the review, does the Fo tinue to be eligible for Medica Program Category is eligibility	aid?
establis restric and if me requ progr	Child is eligible for For Circle program type: icaid eligibility is shed under the most entire program first the client does not et the eligibility direments for that ram, then the next estrictive category is considered.	FC/F IV-E FC/B Blind FC/C Children's Medicaid FC/C Newborn FC/C Newborn Plus Other (specify)	d FC/D Disabled
		nation for the child, compari ? Yes (<i>enter updated T</i> No	ing to previous TPL TPL information into ORSIS)
		us TPL information (application caseworkers answer to Pa changes into ORSIS.	

__ No Child not eligible for Medicaid. Provide reason: (Refer to BES for CHIP eligibility determination if citizenship requirements are met.) CHIP eligibility is subject to open enrollment periods. Notes regarding Title IV-E or Medicaid review: Explanations as necessary. Be Professional! Eligibility Worker's Signature: Review Date_ Make sure to sign and date the review! File in Eligibility Case File in the Review Section. Review should be filed chronologically, with the most review recent on top.

Lump Sum Payments for Ongoing Title IV-E Eligibility

Title IV-E Foster Care Eligibility Determination Procedures 5-5

Lump Sum Payments Received by a IV-E Eligible Child

- ✓ Lump sums other than SSI.
- ✓ Exceeds the 185% Foster Care Need Standard.
- ✓ Child is not IV-E eligible for a period of time.

Determining IV-E Non Eligible Period

- ✓ Non-eligible period begins the month the lump sum is received.
- ✓ Divide the lump sum amount (after allowed deductions) + any of the child's monthly income by the 185% foster care need standard.
- ✓ Resulting whole number is the number of months in which the child is not eligible.
- ✓ Remaining funds become an asset the month following non-eligibility

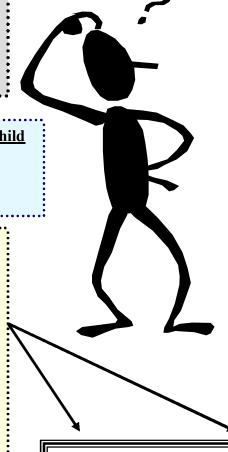
Shortening the IV-E Non-Eligibility Period

✓ The period on non-eligibility can be shortened **only** if the foster child incurs, becomes responsible for, and pays medical expenses that are not covered by private insurance or Medicaid.

OR

✓ A disaster occurs and the lump sum is spent to meet the child's needs in connection with the disaster.

The new period of non-eligibility is calculated by dividing the balance of the lump sum by the 185% foster care need standard.



Lump sum = \$6500.00 Monthly SSA + 325.00 \$6825.00 Divided by \$1489.00 = 4 months of non-eligibility

Reasonable Efforts to Finalize Permanency



Requirement

A judicial determination that reasonable efforts were made to finalize the permanency plan that is in effect must be obtained within 12 months of the removal date and at least once every 12 months thereafter while the child is in foster care.

Intent

During the hearings the judge should determine if the agency has made enough effort to finalize the permanency goal for the child.

The court order must have specific language that shows that the judge determined that this occurred.

YES!

- 1. Reasonable efforts were made by the Division of Child and Family Services or other agency to finalize the service plan and its permanency goal of reunification, termination of parental rights, adoption, guardianship or individualized permanency.
- 2. Reasonable efforts have been made to finalize the permanency plan.



NO!

- 1. The court finds that by clear and convincing evidence, the services offered by the Division of Child and Family Services under the treatment plan constitute reasonable efforts in the part of the Division.
- 2. The permanency goal for the child should remain the same.

If a judicial determination of "Reasonable Efforts to Finalize" is not made by the end of the 12th month, the child is not IV-E eligible until a judicial determination of reasonable efforts is made. IV-E Eligibility may be reinstated on the first day of the month in which the judicial determination is made.



Youth Parole
Authority cannot do the permanency review hearings.
The finding must be made during a court hearing.

YES!

Amended Orders are acceptable to meet the 12 month reasonable efforts requirement. Use the date that the amended order was signed by the judge as the effective date.

Federal reviewers interpretation of the "13 month rule"

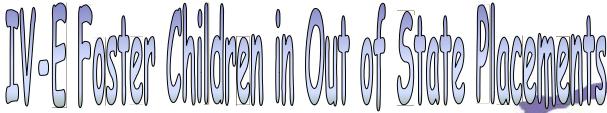
If a judicial determination regarding reasonable efforts to finalize the permanency plan is not made by the end of the 12th month, the child becomes ineligible under Title IV-E at the end of the month in which the judicial determination was due and remains ineligible until a judicial determination is made.

The federal reviewers have ruled that in the cases of reasonable efforts language being obtained in a court order the month after it was due (13th month), the IV-E Eligibility should be terminated even though there is no gap in the IV-E Eligibility of the child. The interpretation is that the agency must show that the IV-E Eligibility had been terminated and then restarted when the order was received.

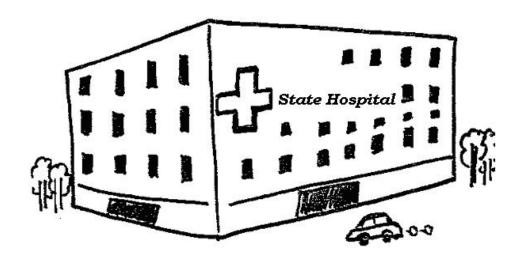
custody under a
Voluntary Placement
Agreement, then the
Reasonable Efforts to
Finalize Permanency
wording is not required.

Foster Children Served by the MR.RC Waiver

- ◆ IV-E determinations must be entered in SAFE for all foster children served on the Mental Retardation and Related Conditions (MR.RC) Waiver Program. At the time custody begins, the caseworker must complete a IV-E/Medicaid Application for the child.
- ◆ Foster children who are open for DD Medicaid may meet the requirements for Initial IV-E Eligibility. IV-E Eligibility will be terminated when the foster child is being served under the MR.RC Waiver. If a foster child becomes eligible for the MR.RC Waiver during a custody episode, the FC Medicaid will be closed and the BES worker will open a DD Medicaid case for the child when qualified.
 - ➤ Case management services are being provided through DSPD as well as DCFS. The MR.RC Medicaid Waiver Program allows for case management billing for DSPD under that program. If the foster child remained IV-E eligible, DCFS would also be billing case management through the IV-E Program. This may appear as duplicate billing, but it is allowed.
- SAFE entry for a new foster child who meets the requirements for Initial IV-E Eligibility will be as follows:
 - Initial IV-E Eligibility "Yes".
 - > Initial IV-E Reimbursability "No", for reason of receiving SSI. (usually)
 - If the child is not receiving SSI, the Initial IV-E Reimbursability would be "Yes" and then reimbursability would be terminated at the end of the first month for reason of "IV-E Eligibility ended".
 - Terminate IV-E Eligibility at the end of the first month for reason of "Placement does not meet the placement requirements".
 - **>** Document the actions in the SAFE note section.
- ◆ SAFE entry for a foster child who becomes eligible for the MR.RC Waiver Program during the custody episode will be as follows:
 - Complete a review of IV-E eligibility for previous months. Terminate the IV-E Eligibility at the end of the month that the child becomes eligible for the MR.RC Waiver. Use the reason "Placement does not meet the placement requirements".
 - Terminate the IV-E Reimbursability, if applicable, at the end of the month when the child becomes eligible for the MR.RC Waiver for reason of "IV-E eligibility ended".
 - > Document the actions in the SAFE note section.
- Foster Children that qualify for the MR.RC Home and Community Based Waiver" must be open in PACMIS under the "DD" Program.
 - DSPD worker provides a copy of completed Form 927. This form signifies that the foster child meets the requirements for the Waiver program. BES manages Medicaid eligibility for foster children on the Waiver "DD" Medicaid Program.



- **IV-E** Eligibility must be reviewed at least every 12 months. Court order with "Reasonable Efforts" language every 12 months is required.
- **IV-E** foster children placed in another State do not have Utah Medicaid eligibility. Medicaid is provided through ICPC in the resident State.
- Use "Action Items" in SAFE to notify you when a review is due.
- Provide caseworker with a review form. Complete normal review process documenting that Medicaid is provided through the ICPC.
- Foster home licensing information must be in the case file. Placement must be licensed by the state where they are located. A copy of the BCI for all adults in the home and a copy of the current Foster Care License must be obtained from the resident state.
- A copy of the approved ICPC form must be in the eligibility record.
- Document in SAFE when the review has been completed.



Foster Children Placed at the State Hospital

IV-E Eligible	Non IV-E Eligible (Medicaid only)
➤ Notification of placement in State	Notification of placement in the State
Hospital.	Hospital.
➤ Complete a IV-E Review for all months	Complete a Medicaid Review for all
since custody began or for all months since	months since custody began or for all
the last IV-E Review.	months since the last Medicaid Review.
➤ Close the IV-E Eligibility in SAFE and	Close the Foster Care Medicaid Case in
CARE the end of the month that the State	PACMIS, using the XS (eligible for
Hospital placement began. In SAFE use the	another program) closure reason. CARC
closure reason, "Placement-non qualified	the electronic Medicaid Case to Kym Ney,
provider or placement".	WNZ, at the State Hospital. Send a closure
	notice.
➤ Close the Foster Care Medicaid Case in	Copy the Foster Care Eligibility Record
PACMIS, using the XS (eligible for another	and send the copy to Kym Ney, USH, P.O.
program) closure reason. CARC the	Box 270, Provo, Ut 84603. Or use the
electronic Medicaid Case to Kym Ney, WNZ,	State Mail Routing Slip.
at the State Hospital. Send a closure notice.	
➤ Copy the Foster Care Eligibility Record	Keep the original Foster Care
and send the copy to Kym Ney, USH, P.O.	Eligibility Record with your case files.
Box 270, Provo, Ut. 84603. Or use the State	
Mail Routing Slip.	
➤ Keep the original Foster Care Eligibility	When the Foster Child is released from
Record with your case files.	the State Hospital, contact Kym Ney, 801-
	344-4632, and ask her to close the NH
	Medicaid case and CARC the electronic
	Case to you. Review the Foster Child's
	eligibility to determine if they are eligible
	for Foster Care Medicaid.

IV-E Eligible	Non IV-E Eligible (Medicaid Only)
➤ When the Foster Child is moved from the	➤ If the Foster Child meets all the
State Hospital, contact Kym Ney, 801-344-	requirements for Foster Care Medicaid
4632, and ask her to close the NH Medicaid	Eligibility, open a Foster Care Medicaid
case and CARC the electronic case to you.	Case in PACMIS beginning the month after
Complete a review of IV-E and Medicaid	the NH Medicaid Eligibility ended. Use the
Eligibility. If the Foster Child meets all the	same PACMIS Case Number.
IV-E requirements open an ongoing IV-E	
Eligibility in SAFE and CARE beginning the	
first of the month of the that the child meets	
all of the IV-E requirements.	
➤ If the Foster Child meets all the	➤ Document all actions on the CAAL
requirements for Foster Care Medicaid	screen.
Eligibility, open a Foster Care Medicaid Case	
in PACMIS beginning the month after the NH	
Medicaid Eligibility ended. Use the same	
PACMIS Case Number.	
➤ Document all actions in SAFE and on the	
CAAL screen.	